

1 ROBERT S. MUELLER, III (CSBN 59775)

2 United States Attorney

3 Attorney for Plaintiff

ORIGINAL
FILED
01 JUN -4 PM 4:37
RECEIVED BY DEPUTY CLERK
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

4
5
6
7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 RICHARD W. MORRIS,

16 Defendant.
17

CR-01-0206
VIOLATIONS: 18 U.S.C. § 1343 - Wire
Fraud; 18 U.S.C. § 1341 - Mail Fraud.

18 INFORMATION

19 The United States Attorney charges:

20 SCHEME TO DEFRAUD

21 1. In or about and between March 1999 and February 2001, both dates being approximate
22 and inclusive, in the Northern District of California, and elsewhere, the defendant

23 RICHARD W. MORRIS,

24 did devise and intend to devise a scheme and artifice to defraud and to obtain money and
25 property by means of materially false and fraudulent pretenses, representations and promises.

26 2. It was part of the scheme and artifice to defraud that the defendant RICHARD W.
27 MORRIS would do and did the following:

28 a. Defendant RICHARD W. MORRIS would and did falsely and fraudulently offer
INFORMATION (MORRIS)

merchandise for sale on internet auction sites such as eBay Inc. (eBay) and Yahoo! Auctions when in fact he had no such merchandise to sell.

b. Defendant RICHARD W. MORRIS would and did induce bidders to purchase the non-existent merchandise and to pay for it either by wire transfers to one or more accounts controlled by the defendant or by checks or money orders mailed to one or more addresses as directed by the defendant.

c. In order to stay on the auction sites as long as possible, with the intent to defraud additional bidders, defendant RICHARD W. MORRIS would and did attempt to dissuade unsatisfied purchasers from complaining about his fraudulent sales practices by various means including sending the victims false and fraudulent excuses for the delayed delivery of their products, including claims that he had been badly injured in a traffic accident and would never walk again.

d. Defendant RICHARD W. MORRIS would and did attempt to counter customer complaints and negative satisfaction ratings posted on the auction sites by sending his own false and fraudulent messages to the auctions sites using a different screen name, and giving positive ratings to sales transactions that in fact had never occurred.

e. Defendant RICHARD W. MORRIS thereafter would and did convert to his own use and benefit, the funds which had been wired and mailed to him.

COUNT ONE: (18 U.S.C. § 1343 - - Wire Fraud)

3. The allegations in paragraphs 1 and 2 above are re-alleged herein and incorporated by reference.

4. For the purpose of executing the fraudulent scheme described above, on or about January 30, 2001, in

the Northern District of California and elsewhere, the defendant

RICHARD W. MORRIS,

using screen name "taz2711@worldnet.att.net", did knowingly transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce the writings, signs and signals described as an advertisement for non-existent merchandise, further described

INFORMATION (MORRIS)

1 as a Canon Powershot S10 digital camera, item number 1210797677, for sale by internet auction
2 on eBay, all through eBay's server which is located in Santa Clara, California.

3 All in violation of Title 18, United States Code, Section 1343.

4 COUNT TWO: (18 U.S.C. § 1341 - - Mail Fraud)

5 5. The allegations in paragraphs 1 and 2 are re-alleged herein and incorporated by reference.

6 6. For the purpose of executing the fraudulent scheme described above, on or about February
7 8, 2001, in the Northern District of California and elsewhere, the defendant


8
9 RICHARD W. MORRIS

10 did knowingly cause to be delivered by the United States mail to PC Providers, 420 California
11 Ave., Suite #320, Arcata, California 95521 (Attn; Rich Morris), a personal check from
12 Westchester, New York.

13 All in violation of Title 18, United States Code, Section 1341.

14
15 ROBERT S. MUELLER, III
16 United States Attorney

17 
18 DAVID W. SHAPIRO
19 Chief, Criminal Division

20 (Approved as to form: )
21 AUSA HOWDEN

22
23
24
25
26
27
28 INFORMATION (MORRIS)